

FILED

Exhibits A8-9"

AUG 18 2008

CLERK U.S. DISTRICT COURT

Attached Written Writ
of Habeas Corpus

Supplement:

CV 08 3572 RMW (PR)

"Exhibits A8-9"

Attached Written Writ
of Habeas Corpus

Supplement:

CV 08 3572 RMW (PR)

"ExhA8"

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - DETERMINATE
[NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-290 ATTACHED]

CR-290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF: CONTRA COSTA			<div style="border: 2px solid black; padding: 5px; text-align: center;"> FILED DEC 17 2003 <small>K. TORRE, CLERK OF THE COURT SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF CONTRA COSTA</small> </div>		
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: GARY SAVAGE		DOB: 05-16-61			021689-5 -A
AKA:					-B
CI#: A06 078 842		<input type="checkbox"/> NOT PRESENT			-C
BOOKING #:		<input type="checkbox"/> AMENDED ABSTRACT		-D	
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT		JUDGE RICHARD E. ARNASON			
DATE OF HEARING 12-05-03	DEPT. NO. 28	PROBATION NO. OR PROBATION OFFICER			
CLERK V. NELSON	REPORTER M. ARGYROPOULOS	COUNSEL FOR DEFENDANT <input type="checkbox"/> APPTD.			
COUNSEL FOR PEOPLE Derek Ewin		COUNSEL FOR DEFENDANT Paul Mariano			

1. Defendant was convicted of the commission of the following felonies:

- ☐ Additional counts are listed on attachment
 (number of pages attached)

CNT.	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YEAR)	CONVICTED BY			TERM (L, M, U)	CONCURRENT	CONSECUTIVE 1/3 VIOLENT	CONSECUTIVE 1/3 NON-VIOLENT	CONSECUTIVE FULL TERM	INCOMPLETE SENTENCE (note to item 8)	654 STAY	PRINCIPAL OR CONSECUTIVE TIME IMPOSED	
						JURY	COURT	PLEA								YRS.	MOS.
2	PC	236/237	False Imprison by Violence	2002	04-02-03	X			U	x						x	
3	PC	273.5(a)	Corporal Injury to Spouse	2002	04-02-03	X			U							8	
4	PC	245(a)(1)	Assault by Force Likely	2002	04-02-03	X			U	x						x	

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed for each or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

CNT.	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	TOTAL

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed for each or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	TOTAL

4. ☒ Defendant was sentenced pursuant to PC 667 (b)-(i) or PC 1170.12 (two-strikes).

5. INCOMPLETED SENTENCE(S) CONSECUTIVE

COUNTY	CASE NUMBER

6. TOTAL TIME ON ATTACHED PAGES:

7. ☐ Additional indeterminate term (see CR-292).

8. TOTAL TIME EXCLUDING COUNTY JAIL TERM: **8**

INMATE COPY

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

all Court docs (minute order, charging documents, and AOT) are very clear that it was the Court's intent that you were sentenced in accordance with 2nd strikes law. [redacted] (has nothing to do with violent). C. Baker, CCR

PEOPLE OF THE STATE OF CALIFORNIA vs.

DEFENDANT: **GARY SAVAGE**

021689-5

-A

-B

-C

-D

9. FINANCIAL OBLIGATIONS (including any applicable penalty assessments):

a. Restitution Fines(s):

Case A: **\$200.00** per PC 1202.4(b) forthwith per PC 2085.5; **\$200.00** per PC 1202.45 suspended unless parole is revoked.
 Case B: \$ per PC 1202.4(b) forthwith per PC 2085.5; \$ per PC 1202.45 suspended unless parole is revoked.
 Case C: \$ per PC 1202.4(b) forthwith per PC 2085.5; \$ per PC 1202.45 suspended unless parole is revoked.
 Case D: \$ per PC 1202.4(b) forthwith per PC 2085.5; \$ per PC 1202.45 suspended unless parole is revoked.

b. Restitution per PC 1202.4(f):

Case A: **\$1,850.00** ☐ Amount to be determined to ☒ victim(s)* ☐ Restitution Fund
 Case B: \$ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund
 Case C: \$ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund
 Case D: \$ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund

(*List victim name(s) if known and amount breakdown in item 11, below.)

c. Fine(s):

Case A: \$ per PC 1202.5. \$ per VC 23550 or days ☐ county jail ☐ prison in lieu of fine ☐ CC ☐ CS
 Case B: \$ per PC 1202.5. \$ per VC 23550 or days ☐ county jail ☐ prison in lieu of fine ☐ CC ☐ CS
 Case C: \$ per PC 1202.5. \$ per VC 23550 or days ☐ county jail ☐ prison in lieu of fine ☐ CC ☐ CS
 Case D: \$ per PC 1202.5. \$ per VC 23550 or days ☐ county jail ☐ prison in lieu of fine ☐ CC ☐ CS

d. Lab Fee and Drug Program Fee:

Case A: Lab Fee: \$ per HS 11372.5(a) for counts ☐ Drug Program Fee of \$150 per HS 11372.7(a).
 Case B: Lab Fee: \$ per HS 11372.5(a) for counts ☐ Drug Program Fee of \$150 per HS 11372.7(a).
 Case C: Lab Fee: \$ per HS 11372.5(a) for counts ☐ Drug Program Fee of \$150 per HS 11372.7(a).
 Case D: Lab Fee: \$ per HS 11372.5(a) for counts ☐ Drug Program Fee of \$150 per HS 11372.7(a).

10. TESTING

a. ☐ AIDS pursuant to PC 1202.1b. ☒ DNA pursuant to PC 296c. ☐ other (specify):

11. Other orders (specify):

The Court reserves jurisdiction over any future claims to restitution; amount set forth above was paid out by Victim Witness Program.

12. EXECUTION OF SENTENCE IMPOSED

- a. ☒ at Initial sentencing hearing.
 b. ☐ at resentencing per decision on appeal.
 c. ☐ after revocation of probation.
 d. ☐ at resentencing per recall of commitment. (PC 1170(d).)
 e. ☐ other (specify):

13. CREDIT FOR TIME SERVED

CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT
A	619 433	413 395	206 38
B			
C			
D			
Date Sentence Pronounced:		Time Served in State Institution:	
12-05-03		DMH	CDC CRC

14. The defendant is remanded to the custody of the sheriff ☒ forthwith ☐ after 48 hours excluding Saturdays, Sundays, and holidays.

To be delivered to

☒ the reception center designated by the director of the California Department of Corrections
☐ other (specify):

INMATE COPY

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE

DATE

12-17-03

*Henry D. Lange V17266
#5P52070L
P.O. Box 9
Avenal Ca 93204*



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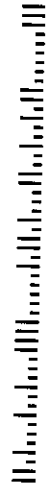
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AUG 04 2008

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03/10/2008

RICHARD L.
FERRELL, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Rmw

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